

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 282 - HB 1386

March 29, 2021

SUMMARY OF ORIGINAL BILL: Requires salary dispute and whole number dispute hearings for deputies and assistants employed by chancery courts, the county clerks and the clerks of the probate, criminal, circuit and special courts to be set within 90 days. Restricts the use of discovery during dispute proceedings. Limits attorneys' fees for such petitions to \$15,000, unless good cause is accepted by the court.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006129): Deletes and replaces language of the original bill to include additional discovery if a petition showing good cause is filed with and accepted by the court to those discovery petitions authorized under this legislation.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal impact.

Assumptions for the bill as amended:

- Pursuant to the language of this legislation, salary disputes to be set within 90 days and discovery for petitions limited to:
 - Materials and proof available to officials at the time of the budget presentation;
 - Materials and proof used by the budget committee, county commission, or mayor to rebut or decline the award of a salary increase; and
 - Additional discovery if a petition showing good cause is filed with and accepted by the court
- Further, any discovery or petition for additional discovery must be submitted within 15 days of filing.
- The limitations and requirements presented in this legislation are not expected to have a substantial effect on the total number of disputes, nor the outcomes; therefore, there will not be a significant impact to local government expenditures.
- This legislation further limits attorneys' fees for such petitions to \$15,000, unless good cause is accepted by the court. It is assumed this will not significantly impact the amount or number of payouts for petitions and ruling cases.

- Any impact to local government expenditures resulting from this provision will be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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